

**CITY COUNCIL MEETING
CITY OF WATERTOWN
January 18, 2011
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER TERESA R. MACALUSO
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **MARY M. CORRIVEAU, CITY MANAGER
ROBERT J. SLYE, CITY ATTORNEY**

City Staff Present: Chief Herman, Elliot Nelson, Ken Mix, Jim Mills, Michael Sligar, Gene Hayes, Kurt Hauk

The City Manager presented the following reports to Council:

- 1 - Approving the 22nd Annual Local Government Conference Workshop on March 31, 2011, as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- 2 - Appointment to the Board of Assessment Review, Dean Gillan
- 3- Authorizing Application for NYS Office of Homeland Security Grant, Fire Prevention and Safety
- 4 - Authorizing Application to New York Safety and Health Hazard Abatement Board, Occupational Safety and Health Training and Education Program Grant
- 5 – Approving the Zone Change Request Submitted by Stacey Mack to Change the Approved Zoning Classification of 234-238 High Street, Parcel No. 6-07-218 From Light Industrial District to Residence C District
- 6 - Laid Over Under the Rules - An Ordinance Authorizing the Issuance of \$200,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Construction or Reconstruction of Sidewalks in Special Assessment District No. 7 Within the City
- 7 - Laid Over Under the Rules - Ordinance Amending City Municipal Code § 293, Vehicles and Traffic
- 8 - Laid Over Under the Rules - An Ordinance Amending the Ordinance Dated July 6, 2010, Authorizing the Issuance of \$390,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Reconstruction of Riggs Avenue, Including Street, Sidewalks, Storm Sewer, Water Main and Sanitary Sewers, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$430,000
- 9 - State Pollution Discharge Elimination System (SPDES) Permit
- 10 - 2011 CDBG Small Cities Application Public Hearings

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of January 3, 2011 was dispensed and accepted as written by motion of Council Member Burns seconded by Council Member Butler and carried with all voting in favor thereof.

COMMUNICATIONS

From SSG Patrick R. Cornell, 2455 Alexandra Meadows, concerning complaints he has about the multitude and nature of notices regarding Summit Wood Apartments' policies.

ABOVE PLACED ON FILE

Claim against the City was received from:

1. National Grid for damages to a plastic gas service at 547 Morrison Street apparently in relation to work that was being done on a storm sewer at that location.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

Bart Bonner, Brookside Drive, addressed the chair regarding his concerns with the redevelopment of the Franklin Building. He stated that a couple of years ago he expressed his opposition to doing it and urged Council to authorize demolition of the building. He referred to an article in the Watertown Daily Times concerning the project and the costs that have been incurred for the apartments. He remarked that he calculated each apartment to cost around \$500,000 per unit. He remarked that he was not counting in the useless storefronts on the street level. He stated that the Carlisle which consists of 16 apartments recently sold for \$450,000 in comparison to what each individual apartment cost in this project. He stated that all the apartments are for low income people who, to him, mean welfare, drug addicts, alcoholics and hookers. He asked who would be paying the rent for these apartments. He also referred to the fact that the renters were determined from a lottery. Thus, the people aren't even from here. He questioned who the official owner of the building is and how much funding was derived from City, County, State and Federal monies. He stated that he doesn't have all the facts and would hope that the City would put all the information together, with all the figures, and share it with the community.

T. Urling Walker, 1170 Ives Street, addressed the chair on behalf of Tree Watertown. He urged Council to support the ordinance prohibiting parking in the margins. He stated that parking there impacts the soils around the trees and could destroy the trees.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS Chapter 662 of the New York State Laws of 2006, which took effect on January 1, 2007, requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the training requirement, and

WHEREAS the New York State Tug Hill Commission, Development Authority of the North Country, HSBC Bank USA, and National Grid are co-sponsoring a day of training sessions at the 22nd Annual Local Government Conference for local government officials on March 31, 2011 at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that the 22nd Annual Local Government Conference Workshop is approved to provide up to five hours of training toward meeting the New York State municipal planning and zoning officials' training requirement.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED that the following individual is appointed to the Board of Assessment Review for a five-year term effective immediately and expiring September 30, 2015, replacing the expired term of Margaret Cook.

Dean Gillan
112 South Indiana Avenue
Watertown, New York 13601

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the Office of Homeland Security is accepting applications for Fire Prevention and Safety Grants, and

WHEREAS the City of Watertown Fire Department has prepared an application that meets the intended purpose of this grant, which will allow the department to purchase education

delivery tools and carbon monoxide detectors which will be installed in homes and dwelling units in Watertown, and

WHEREAS the application, in the amount of \$32,384.00, requires a 10% City match, which will be funded through the Fire Department's Operating budget,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to submit a grant application in the amount of \$32,384.00 to the Office of Homeland Security, and

BE IT FURTHER RESOLVED that the Fire Chief Dale C. Herman is hereby authorized and directed to execute the grant application on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEAS EXCEPT COUNCIL MEMBER SMITH VOTING NAY

Prior to the vote on the foregoing resolution, Council Member Butler asked about the costs listed for the educational equipment, i.e. laptop for \$1800 and a projector for \$5000. He asked what the intended use was.

Chief Herman explained that these would be used to take the fire prevention educational program to community events. The equipment would be used in schools, for civic organization presentations as well as events at CAPC and the Children's Home and the Jefferson County Fair.

Council Smith asked about the overtime listed for the installation of the carbon monoxide detectors.

Chief Herman explained that these detectors would be installed in homes where the occupants could not afford to do it. The parameter of the committee is that the Fire Department would install them. He also advised that the figures are only budgetary for the application.

Council Member Smith questioned how it would be determined who couldn't afford them.

Chief Herman explained that they are working with CAPC as well as the North Country Children's Clinic for referrals.

Council Member Smith commented that he thought NYS Code required landlords to have smoke detectors in the rental units.

Attorney Slye responded that these are carbon monoxide detectors, not smoke detectors. He also advised that he would rather have Mr. McWayne address questions regarding the NYS Building Code.

Chief Herman also advised that the department answered 21 calls for carbon monoxide due to these occupants having the detector.

Council Member Butler asked how long it would take to install one.

Chief Herman responded that it depends on the residence.

Mayor Graham suggested passing an ordinance that would require carbon monoxide detectors in apartments.

Attorney Slye remarked that the problem is that when New York State came out with the Fire Prevention and Building Code, municipalities had to take all or nothing of it. He stated that he didn't know if we can adopt a stricter requirement in regards to one item. He also commented that the City tried to have DSS require this as a stipulation for landlords renting to their clients. However, DSS couldn't require pre-inspection by City Codes before renting.

Council Member Butler asked how the project would be promoted.

Chief Herman explained that they would use the media as well as the assisting agencies to get the word out.

Council Member Macaluso asked how much it would cost to install each detector.

Chief Herman responded that it would depend on the setting up a time to meet with the tenant as well as the wall makeup and the location of the detector.

Mrs. Corriveau commented that the department sees it as a life safety issue.

Council Member Burns commented that some property owners are pro-active and do put detectors in. However, there are ones that don't do it and when we look at the bottom line, if we can prevent one fire, we will recoup the costs. She commended Chief Herman for the proposed partnership with the agencies.

Council Member Butler remarked that he also commends Chief Herman. However, he is concerned with the man-hours.

Council Member Macaluso commented that this doesn't seem like an emergency and could be done over a longer period of time without the use of overtime.

Chief Herman advised that they have 12 months from the time the grant is issued to install all the detectors. He also commented that if overtime isn't needed, it won't be used. He also advised that in regards to the pizza program, lately they haven't had the need to give out smoke detectors and have only given out pizzas.

Council Member Smith commended Chief Herman in terms of looking for grants. However, he stated that he can not support the program as it is not government's responsibility to perform this function.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the State of New York Safety and Health Hazard Abatement Board is accepting applications for funding to support occupational and safety health training for public and private employees, and

WHEREAS each year the City of Watertown provides occupational training opportunities for its employees, and

WHEREAS Superintendent of Public Works Eugene P. Hayes is preparing an application for \$15,000 in funding to provide the City with an opportunity to expand the number of people receiving the training and expand the training programs offered,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the submission of a grant application in the amount of \$15,000 to the State of New York Safety and Health Hazard Abatement Board, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the grant application on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

ORDINANCES

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ORDAINED where Stacey Mack, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of Parcel Number 6-07-218 located at 234-238 High Street from Light Industrial to Residence C District, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on January 4, 2011, and adopted a motion recommending that the City Council approve the zone change as requested, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on February 7, 2011, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcel Number 6-07-218 located at 234-238 High Street, from Light Industrial to Residence C District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE A PUBLIC HEARING FOR MONDAY, FEBRUARY 7, 2011 ON THE FOREGOING ORDINANCE.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE ORDINANCE “AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK TO PAY THE COSTS OF THE CONSTRUCTION OF RECONSTRUCTION OF SIDEWALKS IN SPECIAL ASSESSMENT DISTRICT NO. 7 WITHIN THE CITY AND CARRIED WITH ALL VOTING YEA. (Introduced on January 3, 2011; laid over under the rules; appears in its entirety on page 5 of the 2011 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE ORDINANCE “AMENDING CITY MUNICIPAL CODE §293, VEHICLES AND TRAFFIC AND CARRIED WITH ALL VOTING YEA. (Introduced on January 3, 2011; laid over under the rules; appears in its entirety on page 5 of the 2011 Minutes Book).

Commenting on the foregoing ordinance, Council Member Butler stated that he hoped this ordinance would be enforced.

Council Member Smith remarked that while he also hopes it is enforced, he would hope that it is done through education and notices before tickets are given out.

Council Member Burns asked what would happen to the folks who have paved the margin area and asked what the City’s position would be.

Mrs. Corriveau advised that the pavement would have to be ripped out of any that the City is made aware of. It is City property and the homeowner is not allowed to pave that area.

Attorney Slye suggested that the City contact the paving companies, just as they did with the fence companies, and make them aware that this is not allowed.

Council Member Burns thanks the Council for supporting the ordinance.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE ORDINANCE “AMENDING THE ORDINANCE DATED JULY 6, 2010, AUTHORIZING THE ISSUANCE OF \$390,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE RECONSTRUCTION OF RIGGS AVENUE, INCLUDING STREET, SIDEWALKS, STORM SEWER, WATER MAIN AND SANITARY SEWERS, TO INCREASE THE ESTIMATED MAXIMUM COSTS THEREOF AND THE AMOUNT OF BONDS AUTHORIZED TO \$430,000 AND CARRIED WITH ALL VOTING YEA. (Introduced on January 3, 2011; laid over under the rules; appears in its entirety on page 6 of the 2011 Minutes Book.

2011 CDBG Small Cities Application Public Hearings

MOTION WAS MADE BY COUNCIL MEMBER BURNS TO SCHEDULE A PUBLIC HEARING ON MONDAY, FEBRUARY 7, 2011 AND MONDAY, MARCH 7, 2011 ON THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING. MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

**** ** ***

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

State Pollution Discharge Elimination System (SPDES) Permit

Council Member Butler asked how big an undertaking this would be.

Mr. Hauk explained that it would be \$13,000- \$15,000 for Stearns and Wheeler to do the preliminary design which will then be presented to DEC for approval. Following that a detailed design would be prepared.

Council Member Butler asked how this would benefit taxpayers.

Mr. Hauk advised that this is a DEC requirement coming down from the EPA. He stated that as the rules get more stringent, the City is required to comply.

Mr. Sligar advised that the permits are for 5 years. The last one expired 5/10. DEC wasn't ready at that time to issue a new one. They now are. In the past, the Black River was never required disinfecting. Over the course of 20 years, the nature and use of the river has changed. Therefore, DEC is requiring the disinfecting.

Mr. Sligar also answered questions concerning the pilot digester. He explained that series of data was being collected to use for a potential application to the state. He advised that the cost of fuel and the cost of operating the incinerator are quite large and they are looking at alternatives.

Crow Abatement Program

Council Member Burns asked about the status of this and stated that the crows are still here.

Mrs. Corriveau explained that we continue to discuss this with USDA. They weren't pleased with the results that they saw afterwards. She also explained that the City has received some calls from neighborhoods where the crows have moved to.

Mayor Graham asked about private property owners purchasing the commercial devices and/or cds and tapes.

Mrs. Corriveau responded that Council decided and supported taking care of the problem.

Council Member Smith asked about the training of City staff.

Mrs. Corriveau responded that they did. However, the City doesn't have the equipment now.

Council Member Butler stated that he would like a reason as to why they didn't use the lethal method that Council had authorized.

Council Member Burns remarked that she shared Council Member Butler's thoughts and commented that they also have the same situation in Syracuse. She said that they are also near the County building and the DSS building.

False Alarms

Council Member Butler asked for the number of false alarms for last year.

A report will be prepared.

Mesh Fencing for Sledding Hill

Council Member Smith asked about the mesh fencing that was to have been bought for the bottom of the sledding hill at Thompson Park. He stated that the bales of hay freeze and are as hard as cement blocks.

Mr. Hayes explained that staff had looked into it. The one U.S. manufacture stated that we should not put it up. It is for parallel runs, not to be used for stopping. The area doesn't have enough de-acceleration space to allow for stopping and the fencing is not made for it. He stated that the safest thing would be to close the hill down.

Mercy Tours

Mayor Graham thanked Council for participating in the tours. He stated that from the City's prospective, it is important to consider developing a strategy for title.

Mrs. Corriveau responded that the first step before titles, is that the City needs to do research to see if there are any covenants in the deeds or if there are any reversion clauses. She recommended that City Council authorize staff to take that next step in checking.

Council concurred.

Mayor Graham advised that Assemblyperson Addie Russell also did the tour on Thursday.

Council Member Smith remarked that he is not quite sold on the fact that the train can't be stopped in terms of the HEAL NY grant. He stated that the idea and notion that those dollars will be spent by August 2012 is not right as it isn't going to happen. He stated that all parties should come back to the table and take a step back. He also stated that the building is structurally solid. He stated that when talking long term care, Mercy is a better location as it is situated in the heart of downtown and is a more convenient location with public transportation available. He remarked that the rooms could be modified.

Mayor Graham responded that the control of the property is the issue.

Reviews

The review of the City Clerk will be done on February 7th and the review of the City Manager will be done on February 22nd.

Municipal Building Parking

Mayor Graham mentioned this and a report will be prepared.

POMCO-Early Retirement Reinsurance Program

Mrs. Corriveau advised that POMCO submitted the \$44,000 claims and have been notified that it was approved. These monies will go back into the health insurance fund to help defray the City's costs of retirees' insurance.

Sales Tax

Council reviewed the memo with the latest sales tax figures.

Mrs. Corriveau asked if Council wanted to talk with the T.I. Council about doing another outreach program of "Stop, Stay and Save" as the sales tax figures were driven by the Canadian traffic.

Council Member Smith asked if there was a process in place to measure the Canadian market.

Mrs. Corriveau remarked that she is sure that the hotels were recording it.

Council Member Butler remarked that he would like to see some data on people shopping in the mall and why they shop there.

Council Member Burns commented that the Chamber would probably be a good research tool for data, as well as local hotels and restaurants.

Concession Operations

Mrs. Corriveau advised that Council Members Butler and Smith had requested this information. It is currently being worked on and as report will be forthcoming.

Noise Ordinance

Mrs. Corriveau advised that she had given Council Member Butler the draft of changes for the proposed noise ordinance and had also given one to Attorney Slye.

Budget 2011-12

Mrs. Corriveau asked that Council submit their goals and objectives by Feb. 7 for discussion at the work session of Feb. 14th.

Shapiro Award

Mrs. Corriveau reminded Council that the Shapiro Award dinner is Thursday, Feb. 3rd.

Survey of City Property Washington Street

Mrs. Corriveau remarked that she had received a letter from GYMO indicating that they had been hired by SMC to do a boundary survey which includes City owned property on Washington Street.

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:30 P.M.
BY MOTION OF COUNCIL MEMBER BURNS, SECONDED BY COUNCIL MEMBER
MACALUSO AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Donna M. Dutton

City Clerk